

A. STATE-AT-A-GLANCE

1)	Program Operation	State Operated Program
2)	Number of Local Offices (excluding Agencies under Cooperative Agreements)	Ten (10) Regional Offices One hundred thirteen (113) Local Offices
3)	Type of Agencies with Cooperative Agreements	Department of Justice of Commonwealth of Puerto Rico, Office of Courts Administration
4)	Uniform Interstate Family Support Act	No
5)	Agreements With Tribal Entities	No
6)	Age of Majority for Termination of Support	21 years of age or whenever minor is self supporting through marriage or requiring non-custodian to provide for post- secondary education
7)	Statutes of Limitation:	
	• Collection of Past Due Support	None, while minor has not attained majority; 5 years after minor attains majority, if obligor is disabled, when disability ceases.
	• Paternity Establishment	Action for recognition of children can only be established during life of presumptive parents and 1 year beyond their death except in following instances: (1) if father or mother died during minority of child, in which case child may bring his action before first 4 years of his having attained his majority shall have elapsed; (2) if after death of father or mother there shall appear a written statement or document, of which no notice was previously had, wherein child is expressly recognized, in this case action shall be established within next 6 months after document has been discovered.
	Dormancy Revival/Renewal Possible [yes/no]	No
8)	Guidelines	
9)	Interest Rates on	
	• Missed Payments	No
	• Retroactive Support	No
	• Adjudicated Arrearage	No

10) Arrearage Collections for Non-minor Child(ren)	Yes, with obligee's consent; through contempt and stipulations
11) Distribution Scheme	
• AFDC Arrears	First to current support (if multiple cases, proportionately among the cases), then to Non-AFDC arrears (if multiple cases, proportionately among the cases) then to AFDC arrears (if multiple cases, proportionately among the cases) EXCEPT for IRS intercepted funds, which apply first to AFDC arrears
• Non-AFDC Arrears	See AFDC arrears, above
12) Procedures Regarding Medical Support Using Income Withholding	Yes
13) New Hire Reporting	No
14) Recovery of Costs Elected Under State Plan	No
15) Recovery of Costs for Initiating State	No
16) Long-Arm Statute/s Citation/s	Act No. 71 of June 20, 1956 as amended
17) Automated Locate Resources	Department of Motor Vehicles, Department of Labor, Credit Bureau, Department of Internal Revenue Service, Department of Corrections, IV-A Programs, Vital Statistics of the Department of Health
18) Enforcement Options	
• State Income Tax Refund Intercept	Yes, Federal and Local
• License Revocation/ Suspension	Yes, Motor vehicle driver's license, occupational or professional license, target shooting, business license, weapons license or contract or employment by the Government of Puerto Rico.
• Administrative Liens	Yes
• Property Seizure & Sale	Yes
• State Funds/Benefits (please specify)	Department of Labor, Unemployment benefit
• Other (please specify)	Yes, Credit Bureau , Payment Bond or Security
19) Spousal Maintenance Orders <i>(specify yes or no)</i>	No
• Establish	
• Enforce	

• Modify	
20) Current Spouse/Partner Information Required	Yes

B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

1) State Code Citation	No
2) Effective Date	No
3) Adopted Verbatim? If no, list differences.	No
4) Repeal URESA?	No
5) Repeal IWW?	No

C. INCOME WITHHOLDING

1) Income Withholding Terminology	Income withholding
2) Income Withholding Procedures	Established when child support order entered includes all income, unemployment compensation and tax refunds
• State Withholding Limits	Single 65% Married 60%
• Fee Charged by Employers	No
• Date to Remit	Immediately
• Penalty	After due notice and after judgment is pronounced for total amount not withheld and remitted by employer or disburser on request of creditor; property of employer or disburser will be executed
3) Definition of Employer	Any natural or juridical, public or private person from whom an obligor is entitled to receive income
4) Included Income	Any earnings, benefits, profits, revenues or proceeds derived from salaries, wages, or compensation for personal services, including remuneration received for services rendered as an official or employee of the Commonwealth of Puerto Rico, the Federal Government of the United States of America, as permitted by applicable federal laws and regulations, of any state of the Union of the United States, or any political subdivision thereof, or any agency or instrumentality of any of the above mentioned entities in any way they are paid; or of professions,

	trades, industries, businesses, or sales; or from property ventures, whether real or personal, that arise from the use or possession of the interest in said property, as well as those derived from interest, revenue, dividends, partnership benefits, securities, or the operation of any business operated for profit or gain; and earnings, profits, yields, funds, emoluments or compensation derived from any source including remuneration as an independent contractor, unemployment compensation, disability compensation, retirement and pension benefits, or any other payment received by any obligor from any natural or juridical person.
5) Excluded Income	No exclusion
6) Direct Income Withholding for Unemployment Compensation, include address	Yes
7) Direct Income for Workers' Compensation, include address	Yes
8) Direct Income Withholding, other income sources subject to, include address	Employers (owner)
9) Direct Income Withholding, list Other Income Sources NOT subject to	
10) Federal Withholding (See Federal Pay Agents Section)	Yes by order
11) Procedures for Contesting Income Withholding	Yes, Ten (10) days after issued.
12) Arrearages through Income Withholding	Yes, voluntary income withholding and involuntary income withholding if obligor has arrears for one (1) month.
13) Enforcing Against Non-Resident Obligor Asset/Income	Yes, Local Employers
14) Exception to Immediate Withholding	None
15) Multiple Obligations Withholding Priorities	
• Policy	Income Withholding is the most effective way to ensure regular support payments. Every new order for child support entered or every existing order which is modified in Puerto Rico will include in every order regardless of the AP's employment status. Income may be withheld for payment of current support, as well as arrearages.
• Priority	Employers should report in a written form they received other orders of income withholding of the obligor. Entity, case number, amount to be withheld and name of the custodian

	should be informed. If more than one (1) Notification to Withhold to same obligor, employers should withhold and deposit in the Administration the total amount claimed to a maximum of 50% of the available income of the obligor after tax deductions, social security and other deductions required by law, imposed by Section 303(b) of the Consumer Credit Protection Act, 15 U.S.C.A
• Assistance	A/P has ten (10) days to object to entering of the order by the Administrator or Court.
• Allocation	Should there be more than one order for the withholding of income at its source for the same obligor, the employer or disburser shall deposit the amounts claimed in the Court or the Administration, as the case may be, up to the limits imposed by Section 303(b) of the Consumer Credit Protection Act, as they apply to the obligor, and according to the instructions of the Court. The Court or the Administration shall apportion the amounts withheld among the obligees within the above mentioned limits, giving preference to child support and to current allowances over those in arrears, up to the limits imposed by Section 303(b) of the Consumer Credit Protection Act, notwithstanding the provisions of Section 249 of the Rules of Civil Procedure.

D. PATERNITY

1) Interstate Paternity Procedures	ACSE serves putative father and attempts to settle case with an agreed order through court system; if paternity is contested, ACSE will conduct blood tests and contact initiating agency to coordinate arrangements
Consent Orders Obtained	Yes
2) Uniform Parentage Act	Yes
3) Uniform Act on Blood Testing	Yes
4) Parentage Order Available Without Order for Support	Yes
5) Custody/Visitation Addressed Subject to Tribunal's Jurisdiction	Yes
6) Genetic Test Results as Presumption of Paternity	Paternity shall be presumed contestable in cases in which the genetic test ordered by the Administrator or the Administrative Judge produces a probability of paternity of ninety-five (95) to ninety- seven point nine (97.9) percent. Paternity shall be presumed indisputable in the cases in which the genetic test ordered by the Administrator or Administrative Judge produces a probability of paternity of ninety-eight (98) percent and over.
Threshold	98%

7)	Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)	95% to 97.9% Rebuttable 98% - Conclusive
8)	Marriage as Presumption of Paternity	Yes, but it is a rebuttable presumption.
9)	Putative Father's Name on Birth Certificate, Effect of	Putative father presents sworn statement or signs birth certificate of child at Demographic Registry
10)	Other Statutory Presumptions	No
11)	Recognition of Common Law Marriage	No
12)	Personal Appearance of Witness or Custodial Parent Required	Yes
	Acceptable Methods of Testimony	Only voluntary case
13)	Long-Arm Statute	Yes
14)	Assistance to Other States Using Their Long-Arm Statutes	Yes
	• Service of Process	Yes
	• Genetic Testing	Yes
15)	Recovery of Genetic Testing Costs for Other States	Yes

E. SUPPORT ORDER ESTABLISHMENT

1)	Interstate Procedures	Expedited Administrative Procedure or Court hearing by Judge.
2)	Income Considered for Setting Support	All income is considered except that received from the IV-A Programs - AFDC or Nutritional Assistance Benefits from the Department of the Family.
3)	Criteria for Rebuttal	Errors of fact; that there is no debt, or that the amounts corresponding to the debt or to support payment are mistaken, or that the person is not the obligor.
4)	Support Order for Prior Periods	No

F. ENFORCEMENT

(Note: If multiple orders, see Part “G”)

I. ENFORCING YOUR OWN ORDER

1)	Enforcement for Non-Resident Family	Yes
2)	Administrative Procedures and Remedies Available	Yes
3)	Judicial Procedures and Remedies Available with Registration	Yes

II. ENFORCING OTHER STATES' ORDERS

4)	Administrative Procedures and Remedies Available Without Registration	Yes
5)	Judicial/Administrative Remedies with Registration	Yes
6)	UIFSA/URESA Registration and Enforcement Procedure	Yes, URESA
7)	Judicial Procedures Required after Registration	Yes
8)	Uniform Enforcement of Foreign Judgments Act Citation	Yes

G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS

1)	Jurisdiction Requirements	Request from initiating state on URESA action
2)	Modification Procedures	All support orders shall be reviewed and modified, if necessary, after three (3) years from the date in which the order was established or modified.
3)	Criteria for Modification	Notwithstanding any law or provision to the contrary, the requirement of significant or unexpected change in the circumstances of any of the parties shall be complied with if the application of the Mandatory Guidelines to Fix and Modify Support Payments in Puerto Rico, results in an amount different from that of the support payments currently ordered. The need to provide health care for the minor in an order shall also be a criteria to modify support payments.
4)	Criteria for Change of Circumstances	Application of Guidelines results in a different amount of support.
5)	Frequency With Which Reviews	IV-A Every three (3) years

are Conducted	IV-D When parties request
6) Criteria for Review	Order at least 35 months old ; IV-D or medical support enforcement cases; AFDC Medicaid only.
7) Criteria for Adjustment	ACSE-can also bring an administrative action to effectuate adjustment contemplated in the Court order.

H. MULTIPLE ORDERS

ENFORCEMENT AND MODIFICATION

1) Controlling Order	None
2) Date of Controlling Order	None
3) If No Controlling Order	None
4) Arrears Procedure	None

I. Documentation Required to Initiate Requests

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each document	Certification required for each document *See below
Establishment of Paternity and Support	Birth certificate, Initiating State Law, Paternity Affidavit FSA-204-(B), Child Support Enforcement Transmittal FSA-200, Certificate & Order FSA-203, Uniform Support Petition FSA-20, General Testimony FSA 202.	3	
Enforcement of Responding State's Order	Child Support Enforcement Transmittal FSA-200, Certificate & Order FSA-203, Certified copies of Support Order	3 4	
Modification of Responding States' Orders	Certified copies of Support Order URES A Action Request Child Support Enforcement Transmittal FSA-200	3	
Administrative Enforcement of Another States' Order	Child Support Enforcement Transmittal FSA-200 Uniform Support Petition FSA-20, URES A Action Request	3	
Registration for Enforcement of Another States' Order	Child Support Enforcement Transmittal FSA-200 Certificate & Order FSA-203 Initiating State Law, Certified copies of Child Support Order, Arrears certification	3	
Collection of Arrearages in Multiple Orders	Child Support Enforcement Transmittal FSA-200 Uniform Support Petition FSA-20 arrears certification (copy), Certified Child	3	

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each docu- ment	Certifi- cation required for each docu- ment *See below
	Support Order (original)		
Uniform Enforcement of Foreign Judgments Act	Child Support Enforcement Transmittal FSA-200 Certificate & Order FSA-203 Initiating State Law, Certified copy of Child Support Order, arrears certification	3	
Modification of Another State's Order	Child Support Enforcement Transmittal FSA-200, Initiating State Law, Uniform Support Petition FSA-20, Certified copy of Child Support Order	3	
Status Update on an Existing Interstate Case	URES A Action Request	3	
Assistance/Discovery	-----		
Quick Locate	Locate Data Sheet	3	

**A= Notarization by Notary Public; B= Certification by signature of agency official; C= Certification by signature of court official; D= Others (please specify); E= Certification not required*

J. State Contact Chart

ASSISTANCE NEEDED	CONTACT Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)
State Information Agent	Miguel A. Verdiales, Esq. Administrator Administration for Child Support Enforcement (787) 767-1500
Central Registry	Fax (787) 282-7411 Phone (787) 767-1500 Iris V. González Gorritz, Chief of Reciprocal Support Division
Interstate Policy Contact (if different)	
Contact for Information Regarding Your States Long Arm Statute and Process	
Contact for Information Regarding Collection and Distribution (State level)	Mr. Sergio Jelú
Contact to Obtain Payment Records	Finance Division
Contact to Obtain Copy of Order	Central Registry (ACSE)
Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no "case" in your State) for	
· Service of Process (private process server? If so , list)	-----
· Genetic Testing (e.g. assistance with interstate teleconferencing)	Iris V. González Gorritz
New Hire Reporting Contact	No
Employer Assistance Contact	No
Telephone Number for Automated Interstate Case <i>Status</i> Requests (if any)	-----
Telephone Number for Automated Interstate Case <i>Payment</i> Requests (if any)	-----
Privatization Contact	-----

